

MEMORANDUM OF NON-JURY TRIAL

United States District Court

For the Western District of Pennsylvania

UNITED STATES OF AMERICA

Plaintiff

vs.

No. CRIM 01-6 ERIE

DANIEL J. LEVETO (1)

Defendant

HEARING ON SENTENCE

Before Judge MAURICE B. COHILL, JR.

Thomas G. Voracek, Esq.
Rita Genetti Calvin, Esq.

Stephen Misko, Esq.

Appear for Plaintiff

Appear for Defendant

Hearing begun 9:00 a.m. 10-13-05

Hearing adjourned to

Hearing concluded C. A. V. 12:30 pm 10-13-05

Stenographer Mickey Powers

WITNESSES:

For Plaintiff

For Defendant

INT. 21 H. 37-46 mos; S.E. 2-3 at CT1, 1 yr at CTs 2+3; fine \$7,500-\$75,000; S.A. \$200 (\$100 at CT2, \$50 each at CT2 + CT3, 123)

Witnesses Kimberly Iddon, Revenue Agent.

Evld. Hearing conducted

objections ruled on

Defendant is sentenced to 46 months' imprisonment; consists of 46 months at Count 1 + 36 months at Counts 2+3, to be served concurrently for a total of 46 months. Supervised release for 3 years (3 years at Count 1 and 1 year at Counts 2+3) all terms to be served concurrently, special assessment of \$200 (\$100 at Count 1 + \$50 at each of Counts 2+3). Fine is waived. drug testing is suspended.